

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-07

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PASS AGRICULTURE

E.O. 11652: NA

TAGS: EAGR, EEC

SUBJECT: FRENCH-ITALIAN WINE WAR -- LEGAL PROCEEDINGS MAY BEGIN

REF: EC BRUSSELS 02849

1. AT A PRESS CONFERENCE ON APRIL 2, A COMMISSION PRESS SPOKESMAN ANNOUNCED THAT LARDINOIS TELEPHONED FRENCH AGMIN BONNET ON APRIL 1 TO DETERMINE FRENCH GOVERNMENT INVOLVED IN THE EMBARGO ON ITALIAN WINE IMPORTS (REFTEL). BONNET REPORTEDLY TOLD LARDINOIS THAT THE EMBARGO IS A MEASURE BY THE COMMERCIAL TRADE WHICH, HOWEVER, IS ENDORSED BY THE FRENCH GOVERNMENT. LARDINOIS HAS THEREFORE CONCLUDED THAT THE EMBARGO IS AN OFFICIAL FRENCH GOVERNMENT ACTION INFRINGING ON THE ROME TREATY. HIS IS OF THE OPINION THAT THE ISSUE, WHICH IS CURRENTLY BEING STUDIED BY LEGAL EXPERTS IN THE COMMISSION, SHOULD BE SUBMITTED TO THE COURT OF JUSTICE.

2. IN REPLY TO AN ALLEGATION THAT THE COURT COULD TAKE MONTHS BEFORE ISSUING AN OPINION, THE PRESS SPOKESMAN SAID THAT THERE ARE SUMMARY (PRIORITY) PROCEDURES FOR HASTENING JUDICIAL DELIBER-
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ATION AND PRONOUNCEMENTS. HE MENTIONED THAT A PRECEDENT FOR IMPLEMENTATION OF SUCH PROCEDURES WAS ESTABLISHED IN 1969 FOLLOWING

IMPOSITION OF BORDER TAXES BY GERMANY TO PREVENT A DM REVALUATION FROM ADVERSELY AFFECTING GERMAN AGRICULTURAL PRICES.

3. ITALY APPARENTLY CONTINUES TO SHOW REMARKABLE RESTRAINT IN REACTING TO THE FRENCH MEASURES. IN ADDITION TO CALLING FOR A SPECIAL COUNCIL MEETING, ITALY HAS SO FAR ONLY NOTIFIED THE COMMISSION THAT IT INTENDS TO SEEK RELIEF UNDER ARTICLE 170 OF THE ROME TREATY. UNDER THAT ARTICLE, A MEMBER STATE WHICH CONSIDERS THAT ANOTHER MEMBER HAS FAILED TO FULFILL AN OBLIGATION UNDER THE TREATY MAY BRING THE MATTER BEFORE THE COURT FOR REDRESS. BEFORE INITIATING THIS ACTION, THE MEMBER STATE MUST NOTIFY THE COMMISSION OF ITS INTENTION WHICH ITALY HAS ALREADY DONE.

4. AS REPORTED IN THE REFTEL, A SPECIAL SESSION OF THE COUNCIL OF AGRICULTURAL MINISTERS TO DEAL WITH WINE QUESTION IS IN THE OFFING BUT A DATE STILL HAS NOT YET BEEN FIXED. LARDINIOS PREFERENCES APRIL 14 INSTEAD OF APRIL 7 AS REQUESTED BY ITALY, TO GIVE THE COMMISSION AND MEMBER STATES MORE TIME FOR PREPARATION.

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